



BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

RECEIVED
TECH CENTER 1600/2900
DEC 17 2002

In re the application of: Charles R. Ill, *et al.*

Serial No.: 09/553,368

Filed: April 20, 2000

For: "Novel Vectors and Genes Exhibiting Increased Expression"

Attorney Docket No.: TTI-180DV

Group Art Unit: 1653

Examiner: Schnizer, Holly G

**Commissioner for Patents
Box AF
Washington, D.C. 20231**

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated June 10, 2002 of the Primary Examiner finally rejecting claims 57, 58, 61-65 and 68-71.

The Commissioner is hereby authorized to charge the appeal fee of **\$160.00** based on small entity status to our Deposit Account No. 12-0080. If for any reason the fee is insufficient, please also charge the balance to our Deposit Account. *For this purpose, a duplicate of this sheet is enclosed.*

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box AF, Washington, DC 20231 on:

December 10, 2002
Date

Jane E. Remillard, Esq. Reg. No.: 38,872

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Jane E. Remillard, Esq.
Registration No. 38,872
28 State Street
Boston, MA 02109
(617) 227-7400

09553368

00000072 120080

12/17/2002 CV0111

160.00 CH

01 FC:2401

Date: **December 10, 2002**